

### **Remarks**

Claim 1 has been amended to include the subject matter of claim 3.

Claims 2, 3 have been canceled accordingly.

Claim 4 has been amended to now depend from claim 1.

### **Rejections under 35 U.S.C. 112**

Claims 1 was rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 has been amended. Applicant believes the amended claim is now clear and complies with 35 USC 112, second paragraph.

### **Rejections under 35 U.S.C. 102**

Claims 1-2, 5-7, and 9-13 were rejected under 35 USC 102(b) as being anticipated by Ohashi (JP 08-109580).

Claim 1 has been amended to include the subject matter of claim 3, which was found to contain allowable subject matter, as per page 4 of the 03/03/2009 office action. Therefore, Applicant believes this rejection is now moot in view of the amendment.

The present response is being submitted within the 3 month shortened statutory period for response to the outstanding Office Action. Applicant authorizes the USPTO to charge deposit account 04-1520 for any other fees that should be necessary to maintain the pendency of the application.

In view of the above, it is respectfully submitted that the claims are in condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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